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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,513	02/21/2002	Robert F. Meyerson	24831-011	2825
29956	7590	05/04/2006	EXAMINER	
TIMOTHY P. O'HAGAN 8710 KILKENNY CT FORT MYERS, FL 33912			BUI, BING Q	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/081,513

Applicant(s)

MEYERSON ET AL.

Examiner

Bing Q. Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to:
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's Amendment filed on 02/16/2006 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 1-20 are still pending in this application, wherein claims 1 and 11 being independent.

### ***Terminal Disclaimer***

2. The terminal disclaimer filed on 02/16/2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Application Number 10/079,128 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lowery et al (US Pat No. 6,148,068) in view of Katsumi (US Pat No. 6,369,846), herein after referred as Lowery.

Regarding claim 1, referring to figures 1-4 and 8, Lowery teaches a multi-media communication management system for operation with of subscriber stations, the multi-media communication management a plurality system comprising:

a network communication circuit for multi-media communication with said plurality of subscriber stations (see fig 1 and col. 2, lns 35-52);

a control module for establishing a communication session with the plurality of subscriber stations, the control module comprising:

means for receiving an indication of a plurality of selected conference session participants (see fig 2-4 and 8; and col. 2, ln 62-col. 3, ln 29),

means for identifying a plurality of participating subscriber stations, each participating subscriber station being a one of the plurality of subscriber stations that is associated with a corresponding one of the plurality of conference session participants (see fig 2-4 and 8; and col. 2, ln 62-col. 3, ln 29);

Lowery differs from claimed invention in he does not explicitly teach a conference mixing module that comprises means for establishing a streaming media communication channel with each participating subscriber station, for receiving an audio signal from the participating subscriber station, and for sending a mixed audio signal to the participating subscriber station, and means for generating said mixed audio signal from a plurality of said audio signals received from said plurality of participating subscriber stations. However, this missing feature in Lowery has been taught by Katsumi as disclosed in col. 5, lns 5-16. Therefore, integrating Katsumi's teachings into communication system of Lowery would be useful for real-time audio conferencing.

Regarding claim 2, referring to figures 1-4 and 8, Lowery teaches the multi-media communication management system of claim 1, wherein the means for receiving an indication of a plurality of selected conference session participants comprises: means for providing a subscriber's list of contacts to an initiating subscriber station; and means for receiving an indication of the subscriber's selection of conference session participants from the list of contacts (see fig 4; and col. 3, Ins 44-58).

Regarding claim 3, referring to figures 1-4 and 8, Lowery teaches the multi-media communication management system of claim 2, wherein the means for providing a subscriber's list of contacts comprises: means for providing display content messages to the initiating subscriber station, the display content messages including the subscriber's list of contacts; and means for providing display layout control messages to the initiating subscriber station, the display layout control messages including instructions utilized by the initiating subscriber station for displaying the subscriber's list of contacts on a display screen associated with the initiating subscriber station (see figs 2-3 and col. 2, In 62-col. 3, In 43).

Regarding claim 4, referring to figures 1-4 and 8, Lowery teaches the multi-media communication management system of claim 1, wherein the means for identifying a plurality of participating subscriber stations comprises: means for identifying a participant subscriber device associated with each one of the plurality of conference session participants; and means for identifying the subscriber station serving the participant subscriber device (see fig 2-4 and 8; and col. 2, In 62-col. 3, In 29).

As to claims 5-6 and 10, they are rejected for the same reasons set forth to rejecting claim 1.

Regarding claim 7, referring to figures 1-4 and 8, Lowery teaches the multi-media communication management system of claim 6, wherein the means for providing a list of each conference session participant and an indication of the participant's status comprises means for providing display content messages to the participating subscriber station, the display content messages including the list of each conference participant and the indication of the participant's status; and means for providing display layout control messages to the participating subscriber station, the display layout control messages including instructions utilized by the participating subscriber station for displaying the list of each conference participant and the indication of the participant's status (see abstract; and fig 8; and col. 4, lns 16-57).

Regarding claim 8, referring to figures 1-4 and 8, Lowery teaches the multi-media communication management system of claim 6, wherein the conference mixing module further comprises: means for determining an updated status of a session participant when the status of the session participant changes (see abstract; and fig 8; and col. 4, lns 16-57).

Regarding claim 9, referring to figures 1-4 and 8, Lowery teaches the multi-media communication management system of claim 1, wherein said control module further comprises: means for providing a list of each video image to the at least one participating subscriber station; and means for receiving from the at least one

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participating subscriber station an indication identifying the selected one of the video images from the list (see abstract; and fig 8; and col. 4, lns 16-57).

As to claims 11-20, they are rejected for the same reasons set forth to rejecting claims 1-10.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in general:

U.S. Pat. No. 5,473,363

U.S. Pat. No. 6,178,237

U.S. Pat. No. 6,304,648

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui, Tel. No. (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response ☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

26 April 2006

A handwritten signature in black ink, appearing to read "Bing Q. Bui", with a long horizontal stroke extending to the left.

**BING Q. BUI**  
**PRIMARY EXAMINER**